

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

In Re: PHARMACEUTICAL INDUSTRY : MDL NO. 1456  
AVERAGE WHOLESALE PRICE :  
LITIGATION : Master File No. 01-CV-12257-PBS

THIS DOCUMENT RELATES TO: : Judge Patti B. Saris  
(All Actions) :  
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MOTION FOR ENTRY OF CASE MANAGEMENT ORDER NO. 9

Pursuant to the Court's Order dated September 18, 2003 (attached hereto as Exhibit A), the Defendants in the above-captioned action respectfully move this Court for the entry of proposed Case Management Order No. 9 (attached hereto as Exhibit B). Plaintiffs have assented to this motion.

Respectfully Submitted,

ON BEHALF OF THE DEFENDANTS

By: Lucy Fowler

DATED: November 7, 2003

Nicholas C. Theodorou (BBO# 496730)  
Lucy Fowler (BBO# 647929)  
FOLEY HOAG, LLP  
155 Seaport Boulevard  
Boston, MA 02210  
(617) 832-1000

D. Scott Wise  
Kimberley D. Harris  
DAVIS POLK & WARDWELL  
450 Lexington Avenue  
New York, New York 10017  
(212) 450-4000

*Attorneys for Defendant AstraZeneca Pharmaceuticals LP*

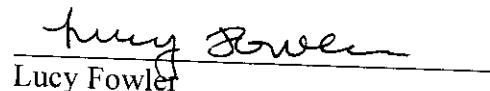
John C. Dodds  
Morgan Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103  
(215) 963-5000

Scott A. Stempel  
Morgan Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(202) 739-3000

*Attorneys for Defendants Pfizer Inc. and Pharmacia Corporation*

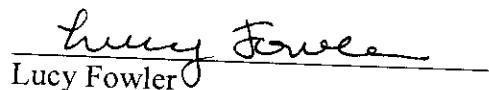
**CERTIFICATE OF SERVICE**

I certify that on November 7, 2003, a true and correct copy of the foregoing Motion for Entry of Case Management Order No. 9 was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

  
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Lucy Fowler

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for defendants conferred with counsel for plaintiff on this motion, and that counsel for plaintiff assented to the motion.

  
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Lucy Fowler